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## FISCAL IMPACT REPORT

ORIGINAL DATE 2-2-06

SPONSOR Rodella LAST UPDATED \_\_\_\_\_ HB HJM59

SHORT TITLE Elk License Property Impact Task Force SB \_\_\_\_\_

ANALYST Woods

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

### SUMMARY

#### Synopsis of Memorial

House Joint Memorial 59 requests the New Mexico Legislative Council to create a task force to study the economic and private property rights of and impacts to landowners caused by the Department of Game and Fish adopting Rule 19.30.5 NMAC for private land elk license allocation.

Specifically the memorial notes that:

- on October 17, 2005, the Department of Game and Fish placed into effect Rule 19.30.5 NMAC for private land elk license allocation; and
- the department rule implementation will have negative economic impacts to small property landowners in economically depressed rural areas of the state; and
- the department of game and fish has segregated small property landowners and identified and
- the department rule disqualifies small landowners from receiving elk authorizations, which violates their private property rights; and
- the department rule disqualifies all landowners who choose to protect self or private property under Section 17-2-7.2 NMSA 1978 from participating in the elk authorization program violating their private property rights; and

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- a task force is needed to review the entire department rule provisions and report on all or any negative economic or private property rights to landowners; and
- the department of game and fish ignored and dismissed comments from landowners during the hearing process for the adopted department rule;

The memorial further resolves, by the Legislature of the State of New Mexico, that:

- the New Mexico Legislative Council be requested to create a task force to study the economic and private property rights and impacts to landowners caused by the Department of Game and Fish's adoption of Rule 19.30.5 NMAC for private land elk license allocation; and
- all or any negative impacts to landowners caused by the recent department rule be described and reported in the final task force report; and
- the task force include a member of the New Mexico State University range improvement task force from the economics department and at least one affected private property landowner; and
- the task force report its findings to the legislature and the governor by December 2007; and
- that copies of this memorial be transmitted to the co-chairs of the New Mexico Legislative Council and to the governor.

There is no appropriation attached to this legislation.

BW/yr